

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NAOMI GONZALES,

Plaintiff,

v.

AGWAY ENERGY SERVICES, LLC,

Defendant.

C.A. No.: 1:17-cv-01754 (MWB)

**STIPULATION AND ORDER
TO EXTEND DEADLINE TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

WHEREAS, Plaintiff Naomi Gonzales ("Plaintiff") initiated this action by way of a Complaint filed on December 6, 2017 (ECF No. 1);

WHEREAS, on January 29, 2018, Defendant Agway Energy Services, LLC ("Defendant") filed a Motion to Dismiss the Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and (b)(6), including on the basis that venue is not appropriate in the United States District Court for the District of Delaware (ECF No. 12);

WHEREAS, on February 12, 2018, Plaintiff and Defendant stipulated, subject to the approval of the Court, that venue shall transfer to the United States District Court for the Northern District of New York (ECF No. 19);

WHEREAS, Plaintiff's deadline to respond to Defendant's Motion to Dismiss is currently February 26, 2018;

IT IS HEREBY STIPULATED AND AGREED, by Plaintiff and Defendant, subject to the approval of the Court, that Plaintiff's deadline to respond to Defendant's Motion to Dismiss is extended from February 26, 2018 to three weeks following the instant action's transfer and docketing in the United States District Court for the Northern District of New York.

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Dated: February 20, 2018

IT IS SO ORDERED this 23rd day of February, 2018.

s/ Matthew W. Brann
United States District Judge